

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GRAZIA PUZZANGARA

Plaintiff,

v.

**CONSUMER RECOVERY
ASSOCIATES, LLC, ET AL.,**

Defendants.

CIVIL ACTION

NO. 11-569

ORDER

AND NOW, this 9th day of August, 2011, upon consideration of the Offer of Judgment (Doc. 6) filed by the parties pursuant to Federal Rule of Civil Procedure 68¹, **IT IS HEREBY**

ORDERED and DECREED as follows:

1. Judgment is entered against Defendant Consumer Recovery Associates, LLC ("CRA") in the amount of Two Thousand One Hundred Twenty Five Dollars (\$2,125.00) for statutory

¹ Plaintiff, a Pennsylvania resident, initiated this action against Defendants on January 28, 2011 (Doc. 1) alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. According to Plaintiff, on or about February 4, 2010, CRA was retained to collect and/or allegedly purchased a consumer credit card account from "Lane Bryant," the original creditor, for the purposes of attempting to collect same from Plaintiff. Plaintiff disputes the alleged "Lane Bryant" consumer credit card account. In February 2010, Plaintiff began receiving multiple telephone calls and messages from Defendants wherein Defendants allegedly used false, deceptive, and misleading representations to collect the debt. On April 4, 2011, Defendants filed an Answer (Doc. 4), generally denying Plaintiff's allegations. On June 22, 2011, the Plaintiff accepted Defendants' Offer of Judgment (Doc. 6).

Rule 68 of the Federal Rules of Civil Procedure reads, in pertinent part:

At any time more than 10 days before the trial begins, a party defending against a claim may serve upon the adverse party an offer to allow judgment to be taken against the defending party for the money or property to the effect specified in the offer, with costs then accrued. If within 10 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service thereof and thereupon the clerk shall enter judgment.

and/or actual damages incurred by Plaintiff as a result of CRA's alleged violations of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq.;

2. In addition, the Judgment entered shall include an additional amount for reasonable costs and attorney's fees accrued through the date of service of this Offer of Judgment either (1) as agreed to by counsel for the parties or (2) in the event counsel cannot agree, as determined by the Court upon application by Plaintiff's counsel; and
3. The Judgment entered in accordance with the Offer of Judgment is in total settlement of any and all claims by Plaintiff against CRA and the judgment shall have no effect whatsoever except in the settlement of those claims.

BY THE COURT:


Hon. Petrese B. Tucker, U.S.D.J.